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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,608	04/17/2006	Daniel Migault	33155.33	7650
7550 03/19/2008				
Gerald E Helget Briggs and Morgan Suite 2200 80 South Eight Street Minneapolis, MN 55402			EXAMINER KIM, EDWARD J	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 03/19/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/572,608

Applicant(s)

MIGAULT, DANIEL

Examiner

EDWARD J. KIM

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is a responsive to the application filed on 04/17/2006.
2. Claims 1-5 are pending in this office action.
3. The claims are directed towards DNS with servers providing respective confidentiality degree, which restricts access by users.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 recites, “first and second degree of confidentiality”, which is not described in detail in the specification. The specification merely recites the claim language and fails to provide any further details as to how “first and second confidentiality” is determined and/or used.

Claim 5 recites, “third degree of confidentiality”, which is merely disclosed as having “a restrictive effect greater than the restrictive effects produced by the first and second degrees of confidentiality” (refer to paragraph [0031] of the Specification). However, since the “first and

second confidentiality” is not disclosed in detail, failing to provide any further details as to how it is determined and/or used, claim 5 is rejected under 35 U.S.C. 112 first paragraph as the limitation, “third degree of confidentiality”, is also not disclosed in detail in the specification.;

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. It is important to note that independent claim 1 recites intended use. The claim does not require anything new in that the limitation is “intended to be connected” and “intended to contain data”. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. Applicant fails to specifically point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim 5 recites the limitation “the third degree of confidentiality”. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites, “first and second degree of confidentiality”, which is not disclosed in detail to distinguish between the two. Claim 8 recites, “third degree of confidentiality” which is disclosed in the specification in relation to “first and second degree of confidentiality”. The cited limitations in claims 1 and 8 are vague and indefinite, failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claim 1 recites, “so-called” reference server, a suggestive term. The limitation is vague and indefinite to what the term is referring to, failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claim 1 recites, “one first and one second auxiliary server intended to contain data previously recorded within the reference server” is vague and indefinite. It is unclear whether the data is duplicated/copied from the reference server or whether the data is moved from the reference server. An example of a well-known technique at the time the invention was made is *DNS zone transfer*. Claim 1 fails to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by over Shelest et al. (US Patent #7,299,491 B2), hereinafter referred to as Shelest.

Shelest discloses methods, systems, and computer program products for resolving domain name system records based on client authentication.

Regarding claim 1, a telecommunications system comprising a database intended to be connected to at least one terminal by means of a communication network, the said database

including a so-called reference server, intended to contain data associated with at least one domain name (Shelest, Abstract, col.1 ln.12-15, col.2 ln.28-35) and at least one first and one second auxiliary server intended to contain data previously recorded within the reference server and (Shelest, figure 4, col.2 ln.35-39, col.8 ln.27-35) respectively provided with a first and second degree of confidentiality (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20. Shelest discloses servers, which have different levels/types of access restriction.), at least one of the first and second auxiliary servers being provided with identification means for preventing any access to the data that it contains by terminals not having access authorisation compatible with the degree of confidentiality attributed to the data contained in this auxiliary server (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20).

Regarding claim 2, Shelest disclosed the limitations, as described in claim 1, and further discloses a telecommunication system comprised in that the database is provided with means of duplicating the data contained in the reference server to the first and second auxiliary servers according to the degrees of confidentiality attributed to the said data (Shelest, figure 4, col.2 ln.35-39, col.8 ln.27-35, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20).

Regarding claim 3, Shelest disclosed the limitations, as described in claim 1, and further discloses, a telecommunication system comprised in that first and second auxiliary servers are provided with identification means to prevent any access to the data contained in the first and second auxiliary servers by terminals not having access authorizations respectively compatible with the first and second degrees of confidentiality (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20, col.2 ln.35-39, col.8 ln.27-35).

Regarding claim 4, Shelest disclosed the limitations, as described in claim 1, and further discloses, a telecommunications system comprised in that the reference server is provided with identification means for preventing of any reading of data contained in the said reference server from terminals not having access authorization compatible with the third degree of confidentiality (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20, col.2 ln.35-39, col.8 ln.27-35).

Regarding claim 5, Shelest disclosed the limitations, as described in claim 1, and further discloses, a telecommunications system comprised in that the third degree of confidentiality has a restrictive effect greater than the restrictive effects produced by the first and second degrees of confidentiality (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20, col.2 ln.35-39, col.8 ln.27-35).

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record and not relied up on is considered pertinent to applicant's disclosure.

- Fletcher et al., US Publication #2002/0178328 A1, Caching Address Information in a Communications System.
- Larson et al., US Patent #7,188,180 B2, Method for Establishing Secure Communication Link between Computers of Virtual Private Network.
- Richard et al., US Patent #5,922,074, Method of and Apparatus for Providing Secure Distributed Directory Services and Public Key Infrastructure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward J. Kim whose telephone number is (571) 270-3228. The examiner can normally be reached on Monday - Friday 7:30am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward J Kim/

Patent Examiner, Art Unit 2155

/saleh najjar/

Supervisory Patent Examiner, Art Unit 2155